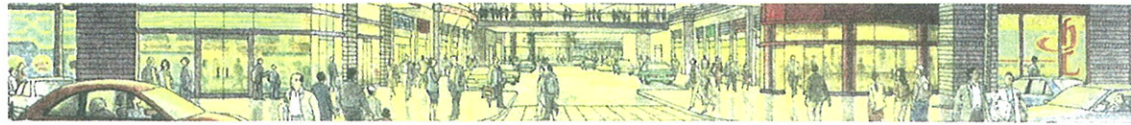


**ADDENDUM TO SECTION 5.6
PUBLIC SERVICES AND UTILITIES**

**SIMPSON PAD PREFERRED
SECONDARY FIRE ACCESS ROAD**

(ALSO SEE FIGURE 17 IN REVISED APPENDIX D)



April 9, 2008

Mr. Murray Gordon, Fire Chief
City of Everett Fire Department
2811 Oakes Avenue
Everett, WA 98201

RE: Everett Riverfront Redevelopment
Secondary Fire Access Road to Simpson Pad

Dear Chief Gordon:

The City of Everett's Fire Department (the "Department") provided certain comments relating to the Draft Everett Riverfront Redevelopment Environmental Impact Statement ("EIS"). This letter will provide methods that address the need for the required secondary fire access for development of the parcel identified as the "Simpson Pad" within the Everett Riverfront Redevelopment.

Primary access to the Simpson Pad will be from a 41st Street extension bridge that the City of Everett will be constructing. As shown on the attached Exhibit, the Simpson Pad is surrounded by designated wetlands that significantly restrict options for constructing additional access routes from any other location other than from 41st Street. The Department's determination as to a required secondary fire access road described in the project's EIS constitutes the City's position for purpose of the State Environmental Policy Act (SEPA) environmental review (Environmental Impact Statement or "EIS"), applicable land use processes including the rezone and Planned Development Overlay (PDO) and for issuance of building permits pursuant to the EIS, rezone and PDO.

Two methods will be identified that address the secondary fire access road. These methods are described below.

Preferred Secondary Fire Access Road Method:

The Preferred Method for constructing the secondary fire road consists of enhancing the existing trail system that originates at the southern edge of the Simpson Pad and traverses west towards the BNSF rail line and then extends south to Lowell-River Road/52nd Avenue. This route is depicted on the attached exhibit and would be designed to meet the following specifications:

- 1) Minimum Width of 20 feet;
- 2) Minimum inside turn radius of 35 feet and outside turning radius of 55 feet;
- 3) Slope approach and departure angles not to exceed 10 degrees;
- 4) Grade not to exceed 15 degrees;
- 5) Rated to carry a maximum vehicle weight of 75,000 pounds; and

6) Have an all-weather gravel surface.

It is understood, at the time this Preferred Method is chosen, that a portion of the route identified will require approval from Burlington Northern Santa Fe (BNSF) Railway and possibly Washington State Department of Transportation (WSDOT). The City and property owner will use best efforts to diligently pursue obtaining the necessary approvals from BNSF (and WSDOT as applicable) ("the approvals"). In the event the approvals have not been received at the time plans are submitted for the first permits related to development of the Simpson Pad the Alternate as described below will be implemented.

Alternate Secondary Fire Access Road Method

The Alternate secondary fire access road will be comprised of two (2) access points:

The first access point will be an additional bridge constructed only for a secondary fire access road will be constructed parallel to the City's primary access bridge on 41st Street which will be located on the northwest section of the Simpson Pad. This secondary fire access road bridge will be at least 20 feet wide and rated to carry a maximum vehicle weight of 75,000 pounds.

The second additional access point will be provided by a road from the southern boundary of the Simpson Pad to be constructed to the edge of the BNSF property that is:

- a) A minimum of 16 feet in width;
- b) Minimum inside turn radius of 35 feet and outside turning radius of 55 feet;
- c) Slope approach and departure angles not to exceed 10 degrees;
- d) Grade not to exceed 15 degrees;
- d) Rated to carry a maximum vehicle weight of 75,000 pounds; and
- e) Have an all-weather gravel surface.

The Owner of the property of the Simpson Pad, with the assistance from the City, will continue in their attempts to obtain the necessary approvals from BNSF and WSDOT (as applicable) for the Preferred Method. However, if the approvals for the Preferred Method are not received at the time a secondary fire access road route is required for construction on the Simpson site, the Alternate routes will be constructed.

The Owner of the property of the Simpson Pad, with the assistance from the City, will also continue to pursue the necessary approvals from BNSF and WSDOT (as applicable) for the Preferred Method after construction of the Alternate route is complete. If the necessary approvals for Preferred Method are received from BNSF and WSDOT (as applicable) after the start of construction of the Alternate route, then the portion of the Alternate secondary fire access road completed, if any, will remain as constructed.

We hereby request that the Fire Department submit the Preferred Method and Alternate secondary fire access routes to the City as part of the Land Use Approval Process with the intent that this document and secondary fire access construction methods become incorporated into the PDO, so that in the event there is a dispute with either the preferred method or the Alternate routes suggested herein above, that the dispute, if any, will be addressed in the same manner as other disputes will be addressed in the PDO.

Thank you for your consideration and please contact me if you have any questions and/or comments on any of the above.

Sincerely,
OliverMcMillan



Charles B. Hickcox
Development Director

Enclosure

cc: Glen Martinson, Fire Marshal
Rick Robinson, Assistant Fire Marshal
Dave Davis, City of Everett,
Dave Koenig, City of Everett
Mark Wolken, Mark Wolken Consulting
Bob Mueller, OliverMcMillan
Tracy Ricker, OliverMcMillan

Acknowledged and Accepted



Murray Gordon, Fire Chief
City of Everett Fire Department

4/16/08
Date



FIRE DEPARTMENT

April 15, 2008

Charles B Hickcox
Development Director
OliverMcMillan
733 8th Avenue
San Diego CA 92101

RE: Everett Riverfront Redevelopment
Secondary Fire Access Road to Simpson Pad

Dear Mr. Hickcox:

Thank you for the letter outlining OliverMcMillan's response to our statements in the draft Everett Riverfront Development Environmental Impact Statement. I appreciate your approach to solving these issues and have reviewed your response with my staff.

Our requirement for secondary access is based on the current International Fire Code adopted by the City of Everett. Your approach to provide a preferred secondary access method meets with our approval. We feel strongly that this method will most closely meet the intent of the Code.

I also appreciate your willingness to offer a secondary fire access road method. While I believe we should strive for the preferred method, if you are unable to obtain the approvals noted in your letter, your alternative is also approved.

Thank you again for your response to our code issues. Please do not hesitate to call me if you have any questions. I can be reached by phone at (425) 257-8101 or by email: mgordon@ci.everett.wa.us.

Sincerely

Murray S. Gordon
Fire Chief

MSG/th

C: J. Iles
D. Davis
D. Koenig
G. Martinsen